UNITED
NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.318
12 March 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY RECORD OF THE 318th MEETING

Held at Headquarters, New York,
on Friday, 17 January 1997, at 10 a.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference and Support Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

97-80123 (E)

The meeting was called to order at 10.30 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined second and third periodic reports of Turkey (CEDAW/C/TUR/2-3)

1. At the invitation of the Chairperson, Ms. Saygin and Ms. Ertürk (Turkey) took places at the Committee table.

2. The CHAIRPERSON invited the members of the Committee to consider the combined second and third periodic reports of Turkey, and noted that, owing to the late arrival of the third report, members had not had sufficient time to prepare questions and would therefore be asking a greater than usual number of questions from the floor.

3. Ms. SAYGIN (Turkey), introducing the combined second and third periodic reports of Turkey (CEDAW/C/TUR/2-3), said that she was one of the four women members of the Turkish Cabinet, where she had responsibility for women's affairs and the family. Her Government appreciated the efforts of the United Nations in setting the international agenda for the advancement of women and standards on women's rights and attached great importance to the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women. United Nations efforts for the empowerment of women had been an inspiration for Turkish women, and she was confident that their achievements in that regard would be an inspiration for women in other parts of the world. Turkish women had been among the first in the world to achieve the right to vote and to be elected.

4. In the follow-up to the Fourth World Conference on Women, Turkey had already formulated its national plan of action, and the Government was strengthening the national mechanism on women's affairs by upgrading the Directorate General on the Status and Problems of Women to the level of an under-secretariat. Full implementation of the Convention was on the Government's agenda, and it was hoped that Turkey would present its next periodic report as one of the States having no reservations to the Convention.

5. Ms. ERTÜRK (Turkey) said that as the twentieth century was coming to an end, it had become evident that the international community was moving towards a new world order dominated by global rather than by national standards and institutions. While those trends offered new hopes for the spread of liberty, justice and democracy, the possibilities for growing conflict and inequalities between countries, regions, ethnic groups, and between men and women, appeared to be as strong as ever. Paradoxically, there was a growing threat to hopes of creating a world of equality, development and peace, in which the status of women would be enhanced.

6. As economic polarization throughout the world became more pronounced, the emergence of new modes of struggle, based on micro-nationalism, religious fundamentalism, ethnic cleansing, racism and the like, were acquiring increased

legitimacy. The twentieth-century values of equality, citizenship and welfare were being replaced by notions of empowerment, identity and governance. While recognition of cultural pluralism was welcome, there was a danger of becoming blind to the fine line distinguishing respect for culture from respect for individual rights, and it must be remembered that human rights had no cultural boundaries. Culture, religion, tradition and custom often were gender-biased and manifested themselves through control over women's bodies and lives.

7. States and their institutions had not been free of inadequacies and contradictions. However, it was within a "state of law" that women could seize a new opportunity through the emergence of the concept of equal citizenship. National mechanisms and the notion of equal citizenship rights provided the most workable framework in which to proceed with the struggle for gender equality.

8. With a population of nearly 70 million people, Turkey was an interesting example of the contradiction between modernization and traditionalism. It was the only secular State with a predominantly Muslim population; within the Muslim world, only Turkey had abandoned the Shariah, and women had more equality before the law in other Muslim countries. Women's status in Turkey was a complex issue; it was gratifying that women were present in some of the most critical positions in the Government, but persisting disparities were still a matter for concern. In particular, literacy measures and education for girls had particularly lagged behind; women still suffered from poor health and a high level of maternal mortality; and paid jobs were elusive, as most women were unpaid family workers or did work which was simply not acknowledged.

9. Despite obvious inadequacies in gender equality, much had been accomplished. The true dimensions of progress in that regard and the nature of the remaining obstacles could not be fully appreciated without an understanding of the inherent contradictions involved in the transformation from a multi-ethnic religious empire to a secular nation-State. Underdevelopment and the pressures of structural adjustment policies further added to the complexities. While such diversity was a source of enrichment, it also led to tensions and contradictions; some of the diversities had become a major source of conflict in determining the basic character of society.

10. Two trends were of particular relevance: religious fundamentalism and ethnic rivalry. Various political movements had been keen on recruiting women and had offered new space for their active participation, encouraging them to become involved in non-conventional activities, although not always to their advantage. The terrorist group PKK, in its armed struggle against the system, had women in its ranks; 1996 would be remembered for the PKK suicide missions in which young girls had been used. The radical religious sects had also been using women to their own ends. The long-term prospects of such ideologies were less than promising in terms of women's status. The inherent totalitarian nature of those political movements left little room for women to adopt an identity outside the boundaries set by predetermined sexist-patriarchal values.

11. Despite such risks, the inclusion and diversification of women's images in civil society enabled them to develop new strategies for controlling their own lives. Since the 1980s, the growing intensification of women's movements, the activities of governmental and non-governmental organizations and policy making

with regard to women's issues had been quite meaningful. Women had been increasingly visible and able to act on their own initiative; strategies developed by women's groups to expand their own space had gained social momentum, with special significance for the empowerment of women as individuals, for creating gender-sensitive public opinion and for putting demands on State institutions to respond to women's issues. The creation and sustenance of a social environment which would enable the demands of various women's groups to be expressed was dependent upon the preservation of the secular social order in Turkey.

12. To respond to diverse pressures and demands, while at the same time enhancing women's basic citizenship rights, seemed to be the most arduous but urgent task facing individual women, non-governmental organizations and the Government. The report should be read and evaluated within such a perspective; it was the product of contributions from women representing different professions and organizations, and reflected the views of women themselves rather than those of a State institution. The Directorate General had long relied on such participatory methods in generating documents to reflect the status of women in Turkey.

13. One of the main elements of a comprehensive and integrated approach to combating gender inequality was a supportive legislative framework, efficient enforcement mechanisms and legal literacy. Turkey tried to promote equality of rights by committing itself to various global and regional standards. Article 10 of the Turkish Constitution provided for gender equality before the law. An egalitarian treatment of women within a legal framework had been achieved through the adoption of the Swiss Civil Code, but some of its provisions on women's issues, which had been regarded as progressive in the early 1900s, had proved to be insufficient for modern society. A commission formed of professors of civil law had been authorized by the Ministry of Justice to prepare a draft law, taking account of the international treaties to which Turkey was a party and the amendments to family law made in European countries. The commission had a gender-sensitive and gender-balanced legislative approach. It would shortly complete a bill for submission to the Grand National Assembly.

14. Since the 1980s, the women's movement had been making intensive demands for modification of the discriminatory clauses of the Turkish Criminal Code. As a result of public consensus generated through intensive campaigns, article 438 of the Criminal Code, which had provided for a reduced sentence for a rapist if the injured woman was proven to be a prostitute, had been repealed in 1990, and in that same year, one of the discriminatory articles of the Turkish Civil Code, granting the husband the right of control over the wife's professional or artistic activities, had been annulled by the Constitutional Court.

15. The Fifth Five-Year Development Plan (1985-1990) had for the first time accepted women's issues as an independent area of concern for policy and planning. Gender issues had become integral parts of subsequent development plans, and recognition of women's issues as a matter of government policy had laid the groundwork for the establishment of the Directorate General in 1990. In 1991, it had been attached directly to the Office of the Prime Minister. Despite limited resources, it had been invaluable in creating gender-sensitive agendas in the public sector, collecting funds from international organizations

to support training and research, acting as a coordinating body for other governmental institutions and networking with non-governmental organizations.

16. Turkey had participated in all major international conferences dealing with women's issues, and had been represented by an all-female delegation at the Fourth World Conference on Women. The Beijing Platform for Action had been accepted by the Turkish Government without any reservations. Two conferences for cooperation among Eurasian women had been held in Turkey in 1995 and 1996.

17. Special measures to give priority to disadvantaged women in various spheres of life included special credit programmes to ensure the active participation of women in development by encouraging them in entrepreneurial activities and defining them as a special category to be considered for quotas in providing public housing under easy terms of payment. The expansion of such measures depended on the availability of resources as well as on the determination to achieve equality.

18. The persistence of physical violence against women in the private domain remained a real challenge and was high on the agenda of women's non-governmental organizations. Aside from anti-violence advocacy, women's organizations had provided services such as counselling, legal representation and shelter for battered women. Government institutions, however, had so far been largely ineffective in their response, and there was a lack of effective legislation to protect battered women. An attempt was under way to amend the law in order to enable legal intervention in cases of domestic violence without a formal complaint from the injured party, and the Minister of the Interior had instructed all security forces to be more receptive to cases of violence against women occurring inside or outside the home.

19. The mass media were believed to have an important influence in shaping public opinion on gender issues, and they had the potential to make a far greater contribution to the advancement of women. Owing to insufficient gender sensitivity, women's experiences, ideas and needs had been given limited attention; however, recent growth in the numbers of women professionals in media organizations had given women more opportunities to make themselves heard. In its efforts to end the projection of negative and degrading images of women, the Directorate General had supported research on all aspects of women and the media.

20. Educational materials continued to perpetuate some of the values of traditional gender relations, portraying women as wives and mothers. The National Education Council, at a meeting in 1996, had emphasized the importance of eliminating such prejudices from educational programmes and had committed itself to the development of textbooks and teaching aids free of gender stereotypes for all levels of education.

21. It was a matter of pride for Turkey that suffrage had been granted to its women in 1934, relatively early compared with many European and Middle Eastern countries. However, there were very few women members of Parliament, usually less than 2 per cent of the total, and that number had been resistant to change. The Directorate General deplored the situation and the lack of efforts to increase women's representation. Women's groups were currently devising

strategies to remedy the situation, and there had been some improvement in women's formal political participation. Important developments in recent years included the adoption by some political parties of quotas for the representation of women, and in the 1991 general election, women's affairs had for the first time become a prominent issue in all the major parties' campaigns and programmes. The Motherland Party, in power since 1983, had made women's issues one of the seven major elements of its campaign and had announced that it would implement the Convention on the Elimination of All Forms of Discrimination against Women. More unexpectedly, the religious Welfare Party had also recognized the need to address women voters in order to increase its electoral strength.

22. After the 1991 elections, a coalition of the Social Democratic People's Party and the True Path Party had established a State ministry responsible for women's affairs and family and social services, which was headed by a woman minister. Feminist activists and academicians were on its staff. Women's issues and the female vote had acquired even greater importance in 1993, with the election of Turkey's first woman Prime Minister, Tansu Çiller. There were currently four women ministers in the Cabinet - a Deputy Prime Minister and Minister for Foreign Affairs, the Minister of the Interior and the State Ministers responsible for the Treasury and women's affairs. The increased role of women in the successful campaign of the religious Welfare Party was of dubious benefit, however, since it subjected women to a restrictive ideology.

23. Despite a significant drop in the rate of female illiteracy in the past decade, one third of Turkish women were still unable to read. Gender disparity in literacy rates was even greater in the rural areas. At the Fourth World Conference on Women, her Government had made a commitment to achieve full literacy for its female population by the year 2000. While school enrolment for boys and girls was roughly equal at the primary school level, the number of female students in secondary schools and institutions of higher learning had dropped sharply. The disparity was more acute in the less developed regions of the country. Moreover, religious vocational schools, which had increased their female enrolment, reinforced traditional female roles and failed to prepare female students for employment in the modern world.

24. The percentage of women in higher education had increased; currently, women represented one third of the total enrolment. Female students tended to study traditionally female subjects; however, the number of women in medical school and engineering programmes had risen. Women's studies and research centres had been established at a number of universities, in many cases with funds provided through the Directorate General from a United Nations Development Programme (UNDP) project. Vocational training and literacy courses were also offered to large numbers of women through informal education programmes, and radio and television were used to provide education to rural women.

25. Effective measures to increase women's access to jobs with social benefits and to train them for jobs as skilled and semi-skilled workers had not yet been taken. Women's participation in the workforce had decreased from the already low figure of 34 per cent in 1990 to 30 per cent in 1995. The vast majority of them were working as unpaid family workers in the agricultural sector. In the non-agricultural and non-rural sectors, women were employed in typically female

sectors, such as textiles and the food industry. The urban unemployment rate for women was more than double that of men. Most women from low-income households were employed in the urban informal sector, which did not provide legal and social protection and benefits. That situation was aggravated by the globalization process, which reduced the possibilities for expanding permanent and secure jobs in the domestic and international labour markets.

26. Nonetheless, there was a positive correlation between women's education and their employment, and women professionals were well represented in academia, medicine, dentistry and law. Within those professions, however, women were confined to less prestigious positions. Similarly, they were well-represented in public administration, but held mainly low and middle management positions. The Directorate General was sponsoring projects to improve employment opportunities for women by, inter alia, encouraging low-income women to start their own small businesses; however, it had not been possible to resolve problems in obtaining credit or to overcome cultural constraints which prevented women from engaging in non-traditional activities. The Directorate General was also promoting the adoption of new legal and administrative measures on maternity. Currently, both the Labour Law and the Civil Servants Law contained protective clauses concerning maternity-related matters.

27. Although gender inequality in the area of health was not pronounced in Turkey, women's health was affected by domestic violence, poverty, economic dependency, and limited power to control their own sexual and reproductive capacities, particularly in the rural areas. Lack of education, fatalism, regional disparities in the distribution of health services, unequal access to existing health services and women's low status led to high maternal mortality rates. Abortion was legal, however. The Ministry of Health was focusing greater attention on women's mental health, which had been largely neglected in the past, by considering women's health as a totality rather than solely in terms of reproductive health and family planning. Following the Beijing Conference, the Ministry of Health was also attempting to involve men in reproductive health and family planning matters.

28. Like many third world countries, Turkey had witnessed the "feminization of agriculture" in the past century. Most women were unpaid workers on small family plots. Women from poorer or landless households did wage work, and women also contributed to agricultural activity by organizing labour and resource exchange groups. Their contribution, however, was not reflected in statistics and policy-making. While modern technology had reduced their daily domestic chores, the male migration and an increase in the production of labour-intensive cash crops had increased their work on the farm. However, their access to such vital resources as credit, training and extension services remained severely limited.

29. Although the idea of women in development had been accepted since the late 1980s, policy makers did not yet view women as active and integral components of development. Development projects for women rarely went beyond conventional home economics or income-generating activities, mainly in handicrafts. The involvement of non-governmental organizations in rural development was limited as well. Nonetheless, academics, decision-makers and development agents were designing effective models for women in development. The most concentrated

rural development initiative was taking place in south-eastern Turkey, where projects were being carried out to overcome regional underdevelopment by introducing community centres which offered training in specific skills. A regional rural women's conference, held in the city of Sanliurfa in November 1996, had been attended by 80 women from Turkish-, Kurdish- and Arabic-speaking villages. Early forced marriages, bride price, polygamy and lack of employment opportunities had been discussed. Another workshop on awareness-building and initiatives to combat honour killings would be held in March.

30. Turkey had entered reservations to article 15, paragraphs 2 and 4, and article 16, paragraphs 1 (c), (d), (f) and (g) of the Convention, maintaining that they were at variance with the provisions of the Turkish Civil Code concerning marriage and family life. According to that Code, the husband was legally empowered to represent the conjugal union; the husband chose the domicile and provided for the maintenance of his wife and children; and the wife acquired the husband's surname and was responsible for household management. Parental authority over children was shared by both parents, but in case of dispute, the husband's view prevailed. Although the law stipulated separation of property, in practice property acquired during marriage was registered in the husband's name. That meant that women who divorced could not make any legal claim to the property. A draft law proposing a revision of the Civil Code addressed a number of the discriminatory clauses she had mentioned. The draft law would, inter alia, enable women to use their own surnames and would allow each spouse to represent the conjugal union and jointly determine the conjugal home. Under the proposed revision, property acquired during the marriage would be shared equally by the spouses. Once the draft law had been enacted, Turkey would withdraw its reservations to the Convention.

Article 1

31. Replying to the questions contained in document CEDAW/C/1997/CRP.1/Add.4, she reiterated with regard to article 1 of the Convention, that the provisions of the Civil Code she had just mentioned regulating marriage and family life were under review. Replying to questions concerning the Criminal Code, she said that the Turkish Criminal Code differentiated between rape of minors, rape of adults and rape that violated virginity. To the extent that the penalty for rape was different in the case of the violation of virginity, the law was discriminatory. Similarly, a distinction was made with regard to the abduction of single versus married women; the penalty was heavier for abduction of the latter. The penalty was reduced if the abduction was committed with the intention of marriage, regardless of the woman's wishes.

32. Articles 440 and 441 defined adultery differently for men and women. The sentence for acts of murder incited by adultery was more lenient; that had major implications for violence against women. Article 441 had recently been annulled by the Constitutional Court, and the legislature had one year to replace it. The decision was based on the fact that, under the Turkish Constitution, international treaties carried the force of law. All international treaties entered into force the day they were promulgated in the Official Gazette and were referred to extensively by the Constitutional Court and higher courts, such as the Council of State. In its recent annulment of article 441 on adultery, the Constitutional Court had made direct reference to the Convention on the

Elimination of Discrimination against Women. Women's groups held conflicting views on adultery: Islamic women's groups advocated strict but equal punishment, while some other groups did not even consider it a crime.

33. Under the Labour Code, an employer had the right to terminate a female worker's contract without notice at the end of paid maternity leave. All discriminatory clauses of Turkish law were under review, and draft revised laws had been prepared. The draft laws were not a high priority in the Parliament; however, the State ministry responsible for women's affairs and the family was promoting them.

Article 2

34. There had been two attempts to establish an under-secretariat for women's affairs and social services by statutory decree, in 1993 and 1996, respectively. However, both the statutory decrees and the laws authorizing them had been annulled by the Constitutional Court for technical reasons. Under the direction of the current Minister, Ms. Saygin, a draft law had been prepared to ensure the re-establishment of the under-secretariat. It had already been signed by the Cabinet Ministers and referred to a special commission of the Parliament for review.

35. The Criminal Code was being redrafted by a commission of experts established by the Ministry of Justice; it would present the results of its work to the Cabinet in March. The draft law must be adopted by the Cabinet before it could be submitted to the Parliament. A similar review of the Civil Code was being carried out by a commission of the Ministry of Justice. Apparently, the commission had completed most of its work, and draft legislation was expected to be submitted to the Cabinet in the near future. The process had taken a very long time because the commission had reviewed and, where appropriate, updated not only the articles of the Civil Code related to gender discrimination, but all the other articles as well.

Article 3

36. The Department of Statistics on Social Structure and Women, established in 1993, compiled gender-based statistics. The Department was in the process of improving its methods of data collection and was developing a computerized national network of gender-disaggregated data. The existing database was widely accessible.

37. The Directorate General was attached to the Prime Minister's Office and operated under the mandate of the State Ministry, reflecting the Government's commitment to the advancement of women. However, the Directorate had a staff of only 45 and was allocated only 0.004 per cent of the national budget. It was a separate unit, distinct from the women's unit under the Ministry of Labour and Social Security. The Ministry of Labour, in its coordinating capacity, was responsible for establishing an inter-ministerial network in order to mainstream gender issues in sectoral plans. In that connection, the Directorate General worked closely with the relevant entities in other ministries.

38. As currently structured, the Directorate General was a centralized body with no regional or local unit. Local units would be established after the law concerning the under-secretariat was enacted. Women had been at the head of the Directorate General since its inception. Thus far, the Directorate General had financed over 30 research projects carried out by non-governmental organizations, academicians and other research groups that championed women's issues. In 1996, under the coordination of the Directorate General, four commissions of non-governmental organizations had been established with a view to preparing plans and policies for the advancement of Turkish women in the areas of law, education, employment and health. The Directorate General had also provided substantial financial support to the Purple Roof Shelter Foundation.

Article 4

39. While Turkey did not have a formal affirmative action policy as such, a quota system had been adopted by the Social Democratic People's Party (SHP) and its successor, the Republican People's Party (CHP), and the True Path Party (DYD). Although the ministry responsible for women's affairs and family had repeatedly expressed its commitment in principle to the adoption of a policy of temporary affirmative action and equal status, such a policy was yet to be implemented. Since Kurds were one of numerous ethnic groups found in Turkey, none of which held a legal minority status, there were no special programmes for Kurdish women. However, they benefited from special policies and programmes for the eradication of regional underdevelopment and population displacement in south-eastern Turkey, identified as one of the priority regions for development.

Article 5

40. Under Turkish criminal law, virginity examinations were required in all allegations of rape; however, in the case of a minor, such examinations required the consent of her parents, while in the case of a major, her own consent must be granted. Virginity examinations must be conducted by the State medical examiner. However, despite the fact that virginity was an important value in Turkish society, the public seemed to be strongly against any coerced virginity examinations. There was no legal framework to deal with women who were found to be non-virgins upon marriage. The consequences might be quite detrimental for the women, ranging from shame to divorce in rural areas, while in urban areas it was a non-issue.

41. There were no formal measures to discourage sexual harassment. However, the issue had been given a high priority on the agenda of feminist activists and non-governmental organizations, who had been campaigning and staging public protests since the 1980s. In that regard, the World Bank, through the Directorate General, was currently sponsoring a research project on gender-based discrimination and sexual harassment in the workplace. The largest trade union in Turkey, Turk-is, had published a guidebook entitled "Sexual harassment at the workplace" in September 1996.

42. The State Minister responsible for women's affairs had entered into an agreement with the Ministry of Education to include the concept of women's human

rights in the curricula of the human rights courses to be taught in primary schools starting from the 1997/1998 school year.

43. The most important measures that had been taken to ensure that women and men condemned domestic violence against women were the proposed changes to the Criminal Code, articles 456, 457 and 478. There was a need for legislation specifically addressing violence against women. The media had programmes addressing domestic violence and extensive research financed by UNDP through the Directorate General, was being undertaken on the nature of such violence, while non-governmental organizations systematically launched campaigns and protests condemning violence against women.

44. The trail for women to become district governors had been blazed in the late 1980s by a young female candidate who had successfully challenged the traditional status quo in court on the grounds that it violated the principle of equality enshrined in the Constitution. Presently, three of the 806 district governors were women.

45. There were no special measures to prevent the harassment of violence against or coercion of women that resulted in their becoming prostitutes. Incitement to prostitution, on the other hand, was regulated by article 435 of the Criminal Code. The severity of the punishment, imprisonment ranging from six months to three years as well as a fine, differed according to the age of the person coerced into prostitution. In 1990, there had been 1,897 cases of rape and molestation of women, while by 1994 that number had dropped to 1,318. Eight hundred and fifty-four men had been convicted for the kidnapping of girls in 1990, compared to 604 in 1994.

46. In a survey on Turkish women in the 1990s, commissioned by the Directorate General, 18 per cent of the women interviewed claimed that they had been beaten by their husbands. Another survey of rural women in 1995 had found that 76 per cent of women who lived in villages were beaten by their husbands, and that the principal cause of beating was disobedience to the husband (39 per cent). Unfortunately, the present legislation could not effectively protect women from domestic violence. Furthermore, it was difficult for women exposed to such violence to pursue their rights. Charges could only be brought against a spouse if the injured party filed a formal complaint, which required her to show witnesses and to undergo a medical examination. Moreover, most prison sentences were for only seven days. In that regard, a draft law had been submitted to amend article 478. In response to demands from women's rights groups, the newly elected woman Minister of the Interior had recently promulgated a decree requesting the police to treat women who had been subjected to violence with care. There was no practice of genital mutilation, nor any reported incidences of violence perpetrated to enforce religiously based dress codes. There was no systematic violence perpetrated against women of minority groups.

47. The meeting in 1995 between the Directorate General and the Turkish Radio and Television Corporation remained an isolated event. However, it had resulted in a daily television programme directed to women living in south-eastern Turkey, which covered a wide range of issues from domestic violence to employment. In the context of increasing women's consciousness, women's

programmes in general had expanded their range of interest beyond homemaking. The media had contributed to counteracting the stereo-typical portrayals of a woman Prime Minister and party leader since 1993. While there were many women in the media, most of them were junior level executives or professionals; in 1990, only 5 per cent of the executives of the Turkish Radio and Television Corporation were women. All the activities of the Directorate General were aimed at women's empowerment and the modification of discriminatory attitudes towards women. However, thus far, such programmes had not been systematically evaluated.

48. The Directorate General recommended and worked in cooperation with the Ministry of Education to eliminate the stereotypical presentation of women and girls in school textbooks. One of the decisions which had been reached at the fifteenth National Education Council meeting held in Ankara in 1996, had been to eliminate gender-based prejudices and stereotypes from educational programmes, books and messages.

49. There were no family education courses as such. However, women's studies centres at the universities had training courses aimed at promoting gender equality. Measures to eliminate violence against women had been described in Turkey's report under article 6 by mistake.

50. There were four shelters for victims of domestic violence, one in Ankara, financed by member fees and contributions; two in Istanbul, one of which was financed by member fees, the State ministry for women's affairs, and contributions and funds from international sources, and the other by the municipality; and the fourth in Izmir, financed by the municipality. There were also 12 State shelters for women.

51. The women's studies centres had been very active in carrying out activities aimed at sensitizing the public at large. Noteworthy among their activities were education programmes for women in political parties, trade unions and voluntary women's associations, on their legal rights, consciousness and advocacy skills. Ankara University had a special programme for self-help against sexism.

52. Incidents of "honour killings" collective acts within traditional tribal, social formations - where families decided to persecute a girl or woman who had dishonoured the family, or where the woman or her relatives killed an illegitimate infant - were rare. Article 453 of the Criminal Code provided for four to eight years' imprisonment for the former and 5 to 10 years' imprisonment for the latter. Such killings had lately been attracting national interest, due mostly to the successful campaigns waged by women's groups to focus the media's attention on the issue. More effective measures to eliminate the practice altogether were expected.

53. Men who kidnapped a minor were liable to 5 to 10 years' imprisonment, while abduction of an adult was punishable by 3 to 10 years' imprisonment. Punishment for the abduction of a married woman was not less than seven years' imprisonment. The concept of rape within marriage did not exist under Turkish criminal law. The Directorate General and women's groups were pressing for the introduction of an article that would penalize rape within marriage as a crime

under the Criminal Code. Article 423/1 of the Code did not relate to rape per se, but rather to the violation of virginity. Under that article, a man who promised marriage to a girl older than 15 in order to seduce her was liable to six months to two years' imprisonment. If he married her, the case and punishment were deferred. However, if, within five years, a decision for divorce was reached by the court because the husband was found guilty, a public suit would be initiated, and if a sentence had been handed down before, it would be enforced.

Article 6

54. Disaggregated data on prostitution were not available. No special measures existed to protect women from prostitution and its attendant risks. Registered prostitutes were subject to periodic health examinations in State hospitals. Brothels were regulated by Law No. 1593 on general hygiene. The penalty for being a procurer was specified under article 435; it was not less than two years' imprisonment if the person lured into prostitution was younger than 15. If the procurer was a relative, the penalty was not less than three years. For persons between the ages of 15 and 21, the penalty ranged from six months to two years in addition to a fine. If the procurer was a relative, the penalty was not less than two years in addition to a fine. In the case of persons over 21, the penalty was between six months and two years. If the prostitute or the trafficker was a foreigner, he or she was immediately deported, and testimony was not sought. Prostitutes had less access to health care and job training than other women, and the attitude of the police was condescending towards them. There were no formal rehabilitation programmes for prostitutes.

55. Many Turkish women emigrated; indeed, 45 per cent of the roughly 1.9 million Turks who had emigrated to Germany were women. Most women emigrants were married women who followed their husbands. However, there were some single professional and educated women who emigrated for better economic opportunities. Cultural norms, strong family ties and strict controls over women's sexuality prevented Turkish women from falling victim to trafficking networks.

Article 7

56. Former Prime Minister Çiller had appointed one woman to her Cabinet. As the Deputy Prime Minister under the current Government, she had appointed four women to ministerial portfolios. There was no women's caucus in the Parliament. After the last election, 13 of the 550 parliamentarians were women, representing 2.4 per cent of the total. Turkey had a proportional representation system. There were no explicit government initiatives to promote women to decision-making posts in the political sector.

57. Non-governmental organizations were financed through membership fees, donations, international sources and State support. There were no data on non-governmental organizations receiving State support, and there were no set criteria for such support, except that some non-governmental organizations were designated as catering to the "public good", in which case they got certain tax exemptions. Applications for that status were evaluated on a case-by-case basis. Political parties continued to maintain the quota system for women's

representation in their administrative organs. Journalists' rights were protected by laws regulating the press.

Article 8

58. Formally, the same criteria were applied in the recruitment and promotion of male and female foreign service personnel. Female foreign service personnel could, with the permission of the Ministry of Foreign Affairs, marry foreigners without incurring professional consequences. However, since thus far, no female foreign service staff had indicated their desire to marry a foreigner, the consequences of such a marriage were not known.

Article 9

59. While the relation between article 9 of the Convention and article 19 of the Turkish Citizenship Law might seem to be in conflict, since only the woman could lose her citizenship by way of marriage to an alien, the Turkish law neither rendered the woman stateless nor changed her nationality automatically. There were no exceptions to that provision of the Turkish Citizenship Law, which was not under review. The Republic of Turkey's position with respect to its reservation to article 9 remained unchanged.

Article 10

60. Compulsory education had been increased from five to eight years. The Ministry of Education was taking measures to prepare the infrastructure to ensure the systematic implementation of the new law. Illiteracy still affected 28.03 per cent of the total female population aged six years and older, and that percentage was as high as 49.35 per cent in the east and south-east. Turkey had taken several measures to meet its commitment under the Beijing Declaration and Platform for Action to eradicate illiteracy by the year 2000. To that end, the Directorate General had supported the establishment of a non-governmental organization commission on education, which had prepared a television programme offering a series of literacy courses. The Ministry of Education was also launching a massive literacy campaign throughout the country as part of its adult education programme.

61. The eastern and south-eastern regions had been identified as priorities for special integrated development projects, such as literacy campaigns and the promotion of health services and training in income-generating skills for women. While compulsory education applied to both sexes, in practice there was gender bias, and educational materials continued to portray gender-biased stereotypes. Nevertheless, government efforts were under way to develop curricula and adopt teaching materials free of such stereotypes for all levels of education. Graduate programmes in women's and gender studies were available at three universities, and six universities had women's centres.

Article 11

62. Under the Constitution the State adopted measures to promote peaceful industrial relations. Workers had the right to establish unions and to strike, and gender-based discrimination was prohibited in jobs of the same nature.

63. There was, however, differing treatment, in the guise of protective legislation, as some jobs were deemed to be physically strenuous for women. The Government took the view that women and men working with equal opportunities in equal positions created an environment of cooperation, with positive implications for the workplace and the home.

64. The minimum age for employment was 12 years of age. Of the 18 per cent of girls in the 12-14 age group in employment, almost 90 per cent were in rural areas, largely as family agricultural workers. The Labour Code forbade the employment of girls at any age in certain industries, and the Government had accepted all the International Labour Organization (ILO) conventions on child labour. Turkey had made major efforts to implement the ILO International Programme for the Elimination of Child Labour.

65. Civil Servants Law No.65, covered all government employees in white-collar jobs, whereas the Labour Code covered blue-collar workers in both the State and private sectors.

66. Maternity leave was available to all female workers, and there was also provision for paternity leave. The Government did not have current plans to reactivate its earlier draft legislation on job security, and no specific steps had been taken to address attitudes in connection with occupational segregation in the workforce. Approximately 68 per cent of the labour force was unionized, with 40 per cent of women workers unionized.

67. Equal pay for equal work was ensured, and the concept of equal pay for equal value was acknowledged, although there were deficiencies in its implementation. No specific measures had been taken to promote women into management positions. Under the Labour Code, workplaces with 100-150 women workers must establish nursing rooms and day nurseries, but such measures were not sufficient and workers could face hardship. Generally, women and men working in family enterprises in any sector were not compensated financially.

68. Sexual harassment was only now coming to public attention, and there were few specific measures, although there was some trade-union guidance in that regard.

Article 12

69. With regard to maternal and infant mortality, induced abortion contributed to curtailing maternal deaths. National targets and strategies had been defined to improve mother and child care and family planning services and individual hospitals also had health programmes for women.

70. While there was no legal requirement for a woman to seek her husband's consent for access to health services, such consent was required for abortion, although single women could make their own choice.

71. The National Council for acquired immunodeficiency syndrome (AIDS) was attached to the Prime Minister's office because of its importance. AIDS was not widespread, and government programmes, including the establishment of a hotline

and information and training programmes were under way to promote women's awareness of the disease.

72. While men in Turkey generally participated in family planning programmes, they had traditionally been less targeted than women.

Article 13

73. Women had free access to information on family planning and sexually transmitted diseases.

74. Substance abuse was not common, and no desegregated data were available. There was only one treatment centre for rehabilitating drug addicts, but rehabilitation was also provided in hospitals.

75. The National Programme for the Enhancement of Women's Integration in Development was co-sponsored by UNDP and the Government, and aimed to establish a gender disaggregated database, promote human resources capacity on gender issues and create an interministerial network on women's issues and supporting non-governmental organization activities. The project had supported the establishment of women's studies centres, and had led to the compilation of relevant data. Pilot projects supported under the programme had also produced information on various issues such as portrayal of women in the media. A documentary film on the status of women and a profile of women trade unionists had been supported. A micro-enterprises project had revealed that the fundamental problem in promoting small-scale female entrepreneurship was access to, rather than lack of, funds, and appropriate training programmes were now being carried out. Efforts were also under way to provide a rotating fund and credit guarantees.

76. There were no legal or social barriers preventing women from participating in sporting or recreational activities at any level.

Article 14

77. The social pension fund for the agricultural sector addressed mainly men, although women could subscribe as heads of families, which meant widows and divorcees in practice.

78. Production-oriented agricultural extension programmes were delivered by men, and women were responsible for home economics activities, since male agents tended to be trained in technical areas and female agents in economics.

79. International conventions and national measures enshrining women's rights were not easily disseminated among rural women, although the Directorate General had supported the issuance of a non-governmental organization booklet on women's rights, and special measures needed to be developed.

80. The midwife system had become outdated, but there was no satisfactory replacement. Health centres provided services in rural areas, but in general the health care infrastructure was poor. National health insurance for the poor had been adopted for rural and urban dwellers.

/...

81. As to whether women agricultural workers were compensated, women working in family-based operations were not compensated, as such work was considered part of household responsibilities, but women in poor households engaged in paid work, which was seen as an indication of poverty and low status. There was a general inequality between the sexes in rural wages.

Articles 15 and 16

82. Women had an equal right of ownership of property, but the Civil Code allowed agricultural enterprises run as a single unit to be allocated to an inheritor - generally a son - with the capability to run the enterprise. Legally, women had autonomous control over their income, but social practices prevented many women from enjoying the fruits of their employment.

83. Measures were in hand to bring the Civil Code fully into line with articles 15 and 16 of the Convention. A current draft amendment allowed each spouse to represent the conjugal union and jointly determine the conjugal home, while enabling women to use their own surnames and share property acquired during the duration of the marriage equally in case of divorce.

84. The legal age for marriage was 18, and could in extraordinary circumstances be lowered to 14. There was a negligible incidence of marriage below those already low ages. Religious marriage was not legally recognized, and a religious ceremony was allowed only after a civil wedding. Infringement was punishable.

85. Women's groups were coordinating efforts to revise the Civil Code, and it was such groups, rather than society at large, which exerted pressure on legislators.

86. The Civil Code defined women as being responsible for household management, including taking care of children. Women enjoyed all legal rights accorded to heads of household.

87. In the absence of claims by male heirs, a daughter inheriting land deemed indivisible did not need to demonstrate the ability to manage it properly. Land was in fact routinely inherited by women, and there was a tradition of women with large landholdings.

88. There were no programmes to let women know before marriage that a separation of matrimonial property regime existed. Cases where that system did not apply were the result of social and economic tradition. Legislation to ensure that women did not lose their property owing to divorce was pending.

89. The Beijing Platform for Action had been adopted without any reservations, and Turkey had set forth political commitments in three basic areas: changing gender-biased legislative provisions and removing all reservations to the Convention; increasing compulsory education from five to eight years and eradicating illiteracy by the year 2000; and reducing infant and mortality rates by at least half by the year 2000.

90. Considerable progress had already been made, including preparation of a national plan covering all areas of concern in the Platform for Action. In accordance with the Platform, all ministries were to review policies and programmes from a gender perspective, and formulation of a high-level coordination committee was under way. Further, the Platform had been translated and disseminated, the Directorate General had organized awareness-raising seminars, and efforts were under way to ensure full and equal access by women to health and family planning services, to increase literacy levels and to promote income-generating activities in south-eastern Anatolia.

91. The preparation of the national plan was a concrete step towards implementation of the Platform for Action and fulfilment of the Government's commitments.

The meeting rose at 1.05 p.m.